

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

Harold E. Engle,

Plaintiff,

Case No. 20-10403

v.

Judith E. Levy

United States District Judge

Social Security Commissioner,

Mag. Judge R. Steven Whalen

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION [17],  
DENYING PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT  
[13], AND GRANTING DEFENDANT’S MOTION FOR SUMMARY  
JUDGMENT [15]**

This is a Social Security appeal. Before the Court is Magistrate Judge R. Steven Whalen’s report and recommendation (“R&R”) (ECF No. 17) recommending the Court DENY Plaintiff’s motion for summary judgment (ECF No. 13) and GRANT Defendant’s motion for summary judgment (ECF No. 15).

Magistrate Judge Whalen issued the R&R on February 16, 2021. (ECF No. 17.) The parties were required to file specific written objections to the report and recommendation within 14 days of service—which here

was March 2, 2021. Fed. R. Civ. P. 72(b)(2); E.D. Mich. L.R. 72.1(d). No objections were filed. The court has nevertheless thoroughly reviewed the report and recommendation and concurs in the reasoning and result. Accordingly,

The report and recommendation (ECF No. 17) is ADOPTED;

Plaintiff's motion for summary judgment (ECF No. 13) is DENIED;

Defendant's motion for summary judgment (ECF No. 15) is GRANTED; and

The findings of the Commissioner are ADOPTED and this case is hereby DISMISSED.<sup>1</sup>

IT IS SO ORDERED.

Dated: March 5, 2021  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
United States District Judge

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<sup>1</sup> By failing to object to the Report and Recommendation, the parties have waived any further right of appeal. *United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005).

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 5, 2021.

s/William Barkholz  
WILLIAM BARKHOLZ  
Case Manager